

**IDAPA 08 - DEPARTMENT OF EDUCATION**  
**08.02.02 - RULES GOVERNING UNIFORMITY**  
**DOCKET NO. 08-0202-0802**

**NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is April 17, 2008.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Sections 33-1258 and 33-105, Idaho Code.

**PUBLIC HEARING SCHEDULE:** A public hearing concerning this rulemaking will be held as follows:

**Friday - June 20, 2008 - 1:00 p.m.**

**Len B. Jordan Building, 2nd Floor  
Lewis & Clark Conference Room  
650 West State Street, Boise, ID**

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rule change addresses concerns regarding the definition of “educationally related” credits for recertification for educators and that it might limit or discourage teachers from seeking another teaching degree or new endorsement. The rule change also explicitly states that all coursework commencing prior to September 1, 2008 will be accepted for recertification, and specifies the availability of an appeal procedure.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reason:

This temporary rule is necessary because it confers a benefit on educators.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was conducted. This rule is the result of discussion and negotiation between legislators, the State Department of Education and the Idaho Education Association.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Christina Linder, (208) 332-6886.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 25, 2008.

DATED this 1st Day of May, 2008.

Tom Luna  
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State Department of Education  
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